

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

HAAS OUTDOORS, INC.,

Plaintiff,

v.

DRYSHOD INTERNATIONAL, LLC
and JAMES K. DONOHUE,

Defendants.

Civil Action No. AU:18-cv-00978-RP

DEFENDANTS' PRETRIAL DISCLOSURES

Defendants Dryshod International, LLC and James K. Donohue submit these pretrial disclosures under Local Rule CV-16.

I. CV-16(f)(3) – Proposed Stipulated Facts

The parties have previously filed a list of stipulated facts. ECF No. 212. The parties are continuing to confer in good faith regarding additional stipulations and will advise the Court in a joint filing if they agree on any additional stipulated facts.

II. CV-16(f)(4) – Identification of Exhibits

Attached as **Exhibit A** is Defendants' Exhibit List identifying those exhibits Defendants expect to offer and those that Defendants may offer if the need arises. Defendants reserve the right to modify or amend their exhibit list to add additional

rebuttal exhibits that could not be anticipated prior to the submission of this exhibit list.

III. CV-16(f)(5) – Identification of Witnesses

Defendants expect to call the following witnesses live:

1. James Donohue
2. Maureen Donohue
3. Jerry Srednicki
4. Craig Hahn
5. Joshua Lynn

Defendants expect to call the following witness by deposition:

1. Toxey Haas

Defendants may call the following witnesses live:

1. Larry Moore
2. Bill Sugg
3. Cindy Reed

If other witnesses to be called at trial become known, their names, addresses, and subject of their testimony will be reported by Plaintiff's counsel in writing as soon as they are known; this does not apply to rebuttal or impeachment witnesses.

IV. CV-16(f)(6) – Deposition Designations

Attached as **Exhibit B** are designations from the September 11, 2019 Deposition Testimony of Toxey Haas. The parties have also reached a joint stipulation on the procedure for any other deposition designations besides Toxey Haas, which they have filed with the Court. ECF No. 261.

V. CV-16(f)(8) – Proposed Findings of Fact and Conclusions of Law

Attached as **Exhibit C** are Defendants' Proposed Findings of Fact and Conclusions of Law.

VI. CV-16(f)(10) – Estimate of Probable Length of Trial

Defendants estimate that the entire non-jury trial (including both Plaintiff and Defendants' presentation) should last approximately three days.

DATED: September 30, 2021

Respectfully submitted,

/s/ Travis R. Wimberly

Travis R. Wimberly
State Bar No. 24075292
Stephen P. Meleen
State Bar No. 00795776
Alexandra H. Bistline
State Bar No. 24092137
PIRKEY BARBER PLLC
1801 E. 6th Street, Suite 300
Austin, TX 78702
(512) 322-5200
(512) 322-5201 (fax)
twimberly@pirkeybarber.com
smeleen@pirkeybarber.com
abistline@pirkeybarber.com

Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on September 30, 2021, I electronically filed this document with the Clerk of Court using the CM/ECF system, which will send notice of the filing to counsel of record.

/s/ Travis R. Wimberly

Travis R. Wimberly